

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SYNERGETICS USA, INC.,

Plaintiff,

-v-

ALCON LABORATORIES, INC. and ALCON,  
INC.,

Defendants.  
-----X

: 08 CIV. 3669 (DLC)

: PRETRIAL  
: SCHEDULING ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/14/08
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DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed.R.Civ.P., on July 11, 2008, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. The parties shall comply with their Rule 26(a)(1), Fed.R.Civ.P., initial disclosure obligations by **July 18, 2008**.
2. Defendant's motion to transfer venue shall be due **July 18, 2008**. Plaintiff's opposition shall be due **August 8, 2008**, and the reply shall be due **August 22, 2008**.

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

3. Plaintiff's motion with respect to counterclaims shall be due **September 12, 2008**. Defendant's opposition shall be due **October 3, 2008**, and the reply shall be due **October 10, 2008**.

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

4. No additional parties may be joined or pleadings amended after **October 17, 2008**.

5. All fact discovery must be completed by **June 26, 2009**.
6. Expert disclosures for issues on which a party has the burden of proof shall be made no later than **July 28, 2009**. Identification of experts and disclosure of expert testimony in rebuttal must occur by **September 18, 2008**.
7. All expert discovery must be completed by **October 30, 2009**.
8. The following motion will be served by the dates indicated below.

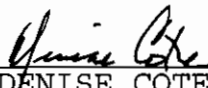
Any Daubert motion

- Motion served by **November 20, 2009**.
- Opposition served by **December 18, 2009**.
- Reply served by **January 15, 2010**.

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

SO ORDERED:

Dated: New York, New York  
July 14, 2008

  
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DENISE COTE  
United States District Judge